

From: Mark Riley <riley@riley-cpa-law.com>
Sent: Monday, August 03, 2020 4:50 PM
To: 'David Ross' <DRoss@ENDEAVOR-RE.com>
Cc: 'Josh Lickteig' <jlickteig@ENDEAVOR-RE.com>; 'Ben Bufkin' <bbufkin@endeavor-re.com>; 'Ryan McClurg' <rmcllurg@ENDEAVOR-RE.com>; 'Chase Spruill' <CSpruill@ENDEAVOR-RE.com>
Subject: RE: Pre-Qualification for IHOP Foreclosure Auction
Importance: High
Sensitivity: Confidential

David,

I have received the emails below and attachment.

I have opened title for this sale with Stewart Title Guaranty Company – Commercial – Houston, File #20000331228. Funding will be through Stewart Title.

Attached to this email are wire instructions for the Stewart Title Guaranty Company - Commercial Services Escrow Account.

Riley

Mark Riley

Attorney-at-Law | Certified Public Accountant
2726 Bissonnet St. | Houston, Texas 77005-1352
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**NOTE: FOR THIS TRANSACTION, THESE WIRING
INSTRUCTIONS WILL NOT CHANGE**

**YOU MUST CONTACT YOUR CLOSING TEAM TO VERBALLY VERIFY THE WIRING
INSTRUCTIONS 24 HOURS PRIOR TO WIRING FUNDS.**

Funding Information

To help deter fraudulent banking activity, Stewart Title Guaranty Company - Commercial Services recommends all closing funds be sent by **Federal Wire Transfer** and to avoid use of Cashier's Checks where possible. Use of Cashier's Check may delay funding while they are verified with the issuing bank.

WIRE INSTRUCTIONS

File No.: 20000331228

Buyer/Borrower: TBD

Bank Name: BBVA

Bank Address: 2200 Post Oak Blvd., Houston, TX 77056

ABA Number: [REDACTED]

Account Name: Stewart Title Guaranty Company - Commercial Services
Escrow Account

Account Number: [REDACTED]

**Failure to reference Stewart Title Guaranty Company - Commercial Services's file
number may delay the receipt of funds.**

These instructions should only be used to Wire Transfer funds to Stewart Title Guaranty Company - Commercial Services. **Do not use this account number to deposit any type of funds**, including a cashier's check, into our account or send funds by ACH, E-Check or any other type of on-line bill payment or electronic funds transfer. These types of payments will be rejected and will delay the closing process.

If you have any questions regarding this matter, please call your local Stewart Title Guaranty Company - Commercial Services office at a previously verified and trusted phone number.

There has been an increase in fraud involving email scams and wire transfers. For your security, please call your local Stewart Title Guaranty Company - Commercial Services office at a previously verified and trusted phone number to confirm the wire instructions to be used before sending funds.

From: David Ross <DRoss@ENDEAVOR-RE.com>
Sent: Monday, August 03, 2020 4:14 PM
To: Riley@Riley-CPA-Law.com
Cc: Josh Lickteig <jlickteig@ENDEAVOR-RE.com>; Ben Bufkin <bbufkin@endeavor-re.com>; Ryan McClurg <rmcllurg@ENDEAVOR-RE.com>; Chase Spruill <CSpruill@ENDEAVOR-RE.com>
Subject: RE: Pre-Qualification for IHOP Foreclosure Auction

Mark, when you get a chance, please confirm receipt of the below/attached.

Also – if we are selected tomorrow as the winning bid, do we wire deposits/funds for closing to a title/escrow company? Or will funds be wired directly to the Lender?

David Ross
Analyst

Endeavor Real Estate Group
drross@endeavor-re.com
D 512-532-2179 C 509-251-0679

From: David Ross
Sent: Monday, August 3, 2020 4:01 PM
To: 'Riley@Riley-CPA-Law.com' <Riley@Riley-CPA-Law.com>
Cc: Josh Lickteig <jlickteig@ENDEAVOR-RE.com>; Ben Bufkin <bbufkin@endeavor-re.com>; Ryan McClurg <rmcclurg@ENDEAVOR-RE.com>; Chase Spruill <CSpruill@ENDEAVOR-RE.com>
Subject: Pre-Qualification for IHOP Foreclosure Auction

Mark,

I've attached our proof of funds letter from Mr. Charles Colley at Frost Bank regarding tomorrow's foreclosure sale for the IHOP property.

Is there anything else you need prior to tomorrow in order to pre-qualify us for the auction? If not, please confirm that we are pre-qualified to participate in tomorrow's bidding.

Thanks again for your help and responsiveness this afternoon.

David Ross
Analyst

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401 Congress Ave, 12th Fl
P.O. Box 1727
Austin, TX 78764

August 3, 2020

Frost Bank
401 Congress Avenue, Suite 1200
Austin, Texas 78701
Phone: (512) 473-4314
Email: Charles.Colley@frostbank.com

To Whom It May Concern

As of August 4, 2020, Endeavor Opportunity Partners II will have an available cash balance of \$20,000,000 and an additional \$40,000,000 in available credit. This letter will serve as a verification that Endeavor Opportunity Partners II bank account has the ability to wire or write a check from Frost Bank account number ending 6428 to cover a purchase of up to \$10,000,000.

We furthermore confirm that these funds are freely transferable at our client's directions, and that our clients account is in good standing with our bank.

In the event you would like to verify these funds please address your calls to the contact information provided above and we will do all we can to assist you for the benefit of our client.

Please feel free to call me with any additional questions. I can be reached at 512-473-4314.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles Colley".

Charles Colley
Senior Vice President

From: David Ross
Sent: Monday, August 3, 2020 9:13 AM
To: 'Riley@Riley-CPA-Law.com' <Riley@Riley-CPA-Law.com>
Cc: Josh Lickteig <jlickteig@ENDEAVOR-RE.com>
Subject: RE: Ruling Outcome - 319 Colorado

Hi Mark, just wanted to follow up. Do you have an update on the Friday ruling and/or the status of the foreclosure auction for tomorrow?

David Ross
Analyst

Endeavor Real Estate Group
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From: David Ross
Sent: Friday, July 31, 2020 5:37 PM
To: Riley@Riley-CPA-Law.com
Cc: Josh Lickteig <jlickteig@ENDEAVOR-RE.com>
Subject: Ruling Outcome - 319 Colorado

Hi Mark,

Josh and I wanted to check in with you regarding today's ruling on Nate Paul's 319 Colorado case. Did you hear the outcome?

Also, do you have any indication yet whether he plans to throw it into bankruptcy prior to the auction?

Thank you and have a great weekend,



David Ross, Analyst
dross@endeavor-re.com

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